

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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|---|---|-----------------------------------|
| ALTICOR INC., a Michigan corporation, |) | |
| AMWAY CORPORATION, a Delaware |) | |
| corporation, and QUIXTAR INC., a Virginia |) | Case No. 1:07 CV 0262 |
| corporation, |) | |
| |) | Judge: Richard Alan Enslen |
| Plaintiffs and Counterdefendants, |) | |
| v. |) | STIPULATION AND [PROPOSED] |
| |) | ORDER OF DISMISSAL WITH |
| NCR CORPORATION, a Maryland corporation, |) | PREJUDICE |
| |) | |
| Defendant and Counterclaimant. |) | |

NOW COME Plaintiffs and Counterdefendants Alticor Inc., Amway Corporation, and Quixtar Inc. (collectively, "A/A/Q"), and Defendant and Counterclaimant NCR Corporation ("NCR"), by and through their respective counsel, and hereby stipulate that:

1. On or about March 16, 2007, A/A/Q filed their Complaint in this action asserting claims against NCR;
2. On or about May 14, 2007, NCR filed an Answer and Counterclaims against A/A/Q;
3. On or about January 17, 2008, this action was consolidated with a related action bearing docket number 1:07 CV 0487, for which a separate Stipulation and [Proposed] Order of Dismissal is being contemporaneously submitted;
4. Because the parties reached a settlement in this action on or about January 17, 2008, A/A/Q hereby dismiss their claims against NCR with prejudice and NCR hereby dismisses its counterclaims against A/A/Q with prejudice pursuant to Fed. R. Civ. P. 41(a)(1); and
5. Each party will bear its own legal expenses, including without limitation attorneys' fees and costs.

Therefore, the parties have executed this stipulation to seek jointly an order from this Court dismissing the above-captioned action in its entirety, with prejudice.

Pursuant to the above, the parties respectfully request that the Court enter an order on the terms agreed to herein.

Dated April 22, 2008

Jason C. White / by permission

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Attorneys for Plaintiffs and
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ALTICOR INC., AMWAY
CORPORATION, AND QUIXTAR INC.

SO ORDERED:

The Honorable Richard Alan Enslen
United States District Court Judge

April __, 2008

Dated April 22, 2008

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